

In The United States Patent & Trademark
In The United States Receiving Office (RO/US)
For International Applications Filed Under
The Patent Cooperation Treaty

10/089351

#5

In Re: Application of
GRUENBACHER, Dana, Paul et al.
International Application No.: PCT/US00/27967
International Filing Date: 10 October 2000
USSN: 10/089,351
Applicant Ref. No. 8278

Applicants' Response to NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 USC 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Dear Sir:

This supplies Applicants' response to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (Form PCT/DO/EO/905) mailed 17 July 2002. The response deadline is 17 September 2002.

FORM PCT/DO/EO/905 asserts, under Items 2 c) and d) that Applicant(s) are required to submit;

"Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and international filing date".
and

"Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

Accompanying this response is a duplicate copy of US National Phase Entry Form PTO-1390 with accompanying associate power of attorney and US Declaration, as originally submitted. Additionally, enclosed is a copy of the returned post card indicating a US declaration is enclosed.

In light of the aforementioned documentation, please withdraw this Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (Form PCT/DO/EO/905) date mailed 17 July 2002 and provide us a confirmation of said withdrawal. A copy of FORM PCT/DO/EO/905 is enclosed as required.

08/15/2002 ATRAN1 00000060 162480 10089351

01 FC:154 130.00 CH

Adjustment Date: 11/19/2002 RWHITE1
08/15/2002 ATRAN1 00000060 162480 10089351
01 FC:154 130.00 CR

6 August 2002
6110 Center Hill Road
Cincinnati, OH 45224
Phone: (513) 634-0794
FAX: (513) 634-0819

Respectfully submitted for the Applicants

By: T. David Reed
Patent Agent
Registration No. 32,931

"Express Mail" mailing label number
Date of Deposit: 09 August 2002
I hereby certify that this paper/fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PCT, The Assistant Commissioner for Patents, Washington, DC 20231.
Virginia Byrd
Administrator mailing application
Signature of Administrator mailing application

EV19143398775



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20522
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,351	Dana Paul Gruenbaccher	8278

27752
THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINTON HILL TECHNICAL CENTER - BOX 161
6110 CENTER HILL AVENUE
CINCINNATI, OH 45224

INTERNATIONAL APPLICATION NO.	
PCT/US00/27967	
I.A. FILING DATE	PRIORITY DATE
10/10/2000	10/08/1999

CONFIRMATION NO. 1392
371 FORMALITIES LETTER



OC000000008464241

Date Mailed: 07/17/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report

CENTRAL DOCKETING	
Atty/GBU Contact: PDM/ICS	
DATE REC'D	JUL 24 2002
<input type="checkbox"/> FAX	<input checked="" type="checkbox"/> MAIL

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,351	PCT/US00/27967	8278

Received: Form PTO 1390 - Transmittal Letter to the
US Designated/Elected Office (DO/EO/US)
Concerning A Filing Under 35 USC 371
Associate Power of Attorney
~~Preliminary Amendment~~

~~Declaration Combined with PCT~~
Declaration w/ PCT
In Re: US National Phase Entry Under 35 USC 371 from
the International Application of:

10/089351

Guenbacher, Dana Paul et al
Intl. Application No.: *PCT/US00/27967*

Intl. Filing Date: *10 Oct 2000*
Case No. *8278* Cust. No. *27752*

Att'y Agent *Fragetti POM*
JC02 Rec'd PCT/PTO 27 MAR 2002

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

8278

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/US00/27967

INTERNATIONAL FILING DATE
10 October 2000

PRIORITY DATE CLAIMED
08 October 1999

TITLE OF INVENTION

Semi-Enclosed Applicator For Distributing A Substance Onto A Target Surface

APPLICANT(S) FOR DO/EO/US

GRUENBACHER, Dana Paul et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application was filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☒ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

"Express Mail" mailing label number

EL 483621598715

Date of Deposit

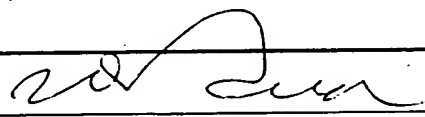
27 March 2002

I hereby certify that this paper/fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to The Assistant Commissioner of Patents, Washington, D.C. 20231.

Administrative Mailing Application.

Signature

[Handwritten Signature]

U.S. APPLICATION NO. (if known, see 37 CFR 1.3)		INTERNATIONAL APPLICATION NO. PCT/US00/27967		ATTORNEY'S DOCKET NUMBER 8278	
				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$740	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	12-20=	0	x \$18.00	\$0	
Independent Claims	1-3=	0	x \$84.00	\$0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			\$280.00	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$740	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0	
TOTAL NATIONAL FEE =				\$740	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28,3.31). \$40.00 per property +				\$0	
TOTAL FEES ENCLOSED =				\$740	
				Amount to be refunded	\$
				charged	\$
<p>a. [] A check in the amount of \$ ____ to cover the above fees is enclosed.</p> <p>b. [x] Please charge my Deposit Account No. <u>16-2480</u> in the amount of \$ <u>740</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [x] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>16-2480</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p>					
T. Fayette, Patent Attorney Customer Number 27752				 Signature T. David Reed Name 32,931 Registration Number	